

(b)(1)(A),MAG,LC3,MLC2,OPEN_MJ

US District Court Electronic Case Filing System
District of Utah (Central)
CIVIL DOCKET FOR CASE #: 2:17-cv-00699-TS-DBP

Williams v. US Department of Justice
Assigned to: Judge Ted Stewart
Referred to: Magistrate Judge Dustin B. Pead
Cause: 05:0552 Freedom of Information Act

Date Filed: 06/27/2017
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Dennis O. Williams**

represented by **Jesse C Trentadue**
SUITTER AXLAND
8 E BROADWAY STE 200
SALT LAKE CITY, UT 84111
(801)532-7300
Email: jesse32@sautah.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**US Department of Justice**

represented by **Amanda A. Berndt**
US ATTORNEY'S OFFICE
111 S MAIN ST STE 1800
SALT LAKE CITY, UT 84111-2176
(801) 325-3267
Email: amanda.berndt@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John K. Mangum
US ATTORNEY'S OFFICE
111 S MAIN ST STE 1800
SALT LAKE CITY, UT 84111-2176
(801)325-3216
Email: john.mangum@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Melina Shiraldi
US ATTORNEY'S OFFICE
111 S MAIN ST STE 1800
SALT LAKE CITY, UT 84111-2176
(801)325-3322
Email: melina.shiraldi@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/27/2017	<u>1</u>	Case has been indexed and assigned to Magistrate Judge Paul M. Warner. Plaintiff Dennis O. Williams is directed to E-File the <u>Complaint and cover sheet</u> (found under Complaints and Other Initiating Documents) and pay the filing fee of \$ 400.00 by the end of the business day. NOTE: The court will not have jurisdiction until the opening document is electronically filed and the filing fee paid in the CM/ECF system. Civil Summons may be issued electronically. Prepare the summons using the courts <u>PDF version</u> and email it to utdecf_clerk@utd.uscourts.gov for issuance (alt) (Entered: 06/27/2017)

		06/27/2017)
06/27/2017	<u>2</u>	COMPLAINT against US Department of Justice (Filing fee \$ 400, receipt number 1088-2785886) filed by Dennis O. Williams. (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet, # <u>2</u> Exhibit 1 – Whistle Blower FOIA, # <u>3</u> Exhibit 2 – DOJ Response to Whistle Blower FOIA, # <u>4</u> Exhibit 3 – OIP Denial of Whistle Blower FOIA Appeal, # <u>5</u> Exhibit 4 – Phoenix Memo, # <u>6</u> Exhibit 5 – Pickard FOIA, # <u>7</u> Exhibit 6 – DOJ Response to Pickard FOIA, # <u>8</u> Exhibit 7 – OIP Denial of Pickard FOIA) Assigned to Magistrate Judge Paul M. Warner (Trentadue, Jesse) (Entered: 06/27/2017)
07/13/2017	<u>3</u>	**RESTRICTED DOCUMENT** Summons Issued Electronically as to US Department of Justice. Instructions to Counsel: 1. Click on the document number. 2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF. 3. Print the issued summons for service. (lan) (Entered: 07/13/2017)
07/13/2017	<u>4</u>	**RESTRICTED DOCUMENT** Summons Issued Electronically as to US Attorney General. Instructions to Counsel: 1. Click on the document number. 2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF. 3. Print the issued summons for service. (lan) (Entered: 07/13/2017)
07/13/2017	<u>5</u>	**RESTRICTED DOCUMENT** SUMMONS Returned Executed by Dennis O. Williams as to US Department of Justice served on 7/13/2017, answer due 8/3/2017. (Trentadue, Jesse) (Entered: 07/13/2017)
08/14/2017	<u>6</u>	ANSWER to Complaint filed by US Department of Justice. Attorney John K. Mangum added to party US Department of Justice(pty:dft)(Mangum, John) (Entered: 08/14/2017)
08/15/2017	<u>7</u>	NOTICE – This case is assigned to a magistrate judge. To consent or request reassignment, use <u>the form on this link</u> or use the included form for non-efilers and send it to consents@utd.uscourts.gov within 15 days or mail to the court with <i>Attention: Consent Clerk</i> on the envelope. Notice e-mailed or mailed to Defendant US Department of Justice, Plaintiff Dennis O. Williams. Form due by 8/30/2017. (las) (Entered: 08/15/2017)
08/29/2017	8	RECEIVED Consent/Reassignment Form from Defendant US Department of Justice. (las) (Entered: 08/29/2017)
08/29/2017	9	RECEIVED Consent/Reassignment Form from Plaintiff Dennis O. Williams. (las) (Entered: 08/29/2017)
08/29/2017	10	All Consent/Reassignment Forms have now been received. After review of all forms, Case Reassigned to District Judge per request of one or more party(s). Case randomly assigned to Judge Tena Campbell. Magistrate Judge Paul M. Warner no longer assigned to the case. (las) (Entered: 08/29/2017)
09/05/2017	<u>11</u>	ORDER OF RECUSAL: Judge Tena Campbell recused. Case reassigned to Judge Jill N. Parrish for all further proceedings – case number is now 2:17cv00699 JNP. Signed by Judge Tena Campbell on 8/31/17 (alt) (Entered: 09/05/2017)
09/06/2017	<u>12</u>	CIVIL STANDING ORDER. Signed by Judge Jill N. Parrish on 9/6/17. (ss) (Entered: 09/06/2017)
09/08/2017	<u>13</u>	NOTICE OF ACKNOWLEDGMENT of Civil Standing Order <u>12</u> filed by Defendant US Department of Justice (Mangum, John) (Entered: 09/08/2017)
09/08/2017	<u>14</u>	NOTICE OF ACKNOWLEDGMENT of Civil Standing Order <u>12</u> filed by Plaintiff Dennis O. Williams (Trentadue, Jesse) (Entered: 09/08/2017)
09/08/2017	15	ORDER REFERRING CASE to Magistrate Judge Dustin B. Pead under 28:636 (b)(1)(A), Magistrate to hear and determine all nondispositive pretrial matters. No attached document. Signed by Judge Jill N. Parrish on 9/6/17. (ss) (Entered: 09/08/2017)

		09/08/2017)
10/25/2018	<u>16</u>	ORDER TO PROPOSE SCHEDULE – Plaintiff must propose a schedule to defendant in the form of a draft Attorney Planning Meeting Report within the earlier of fourteen (14) days after any defendant has appeared or twenty-eight (28) days after any defendant has been served with the complaint. See order for additional instructions. Signed by Magistrate Judge Dustin B. Pead on 10/25/18 (alt) (Entered: 10/25/2018)
11/19/2018	<u>17</u>	Stipulated MOTION for Extension of Time for Submitting Scheduling Order filed by Plaintiff Dennis O. Williams. (Attachments: # <u>1</u> Exhibit 1 – Proposed Planning Meeting Report, # <u>2</u> Text of Proposed Order) Motions referred to Dustin B. Pead.(Trentadue, Jesse) (Entered: 11/19/2018)
11/20/2018	<u>18</u>	ORDER granting <u>17</u> Joint Motion for Extension of Time for Submitting Proposed Scheduling Order. The parties have until December 21, 2018, in which to submit a Proposed Scheduling Order. Signed by Magistrate Judge Dustin B. Pead on 11/20/2018. (jds) (Entered: 11/20/2018)
12/18/2018	<u>19</u>	MOTION to Amend/Correct <u>2</u> Complaint,, filed by Plaintiff Dennis O. Williams. (Attachments: # <u>1</u> Exhibit A – Amended Complaint, # <u>2</u> Text of Proposed Order) Motions referred to Dustin B. Pead.(Trentadue, Jesse) (Entered: 12/18/2018)
12/20/2018	<u>20</u>	REPORT OF ATTORNEY PLANNING MEETING. (Trentadue, Jesse) (Entered: 12/20/2018)
12/21/2018	<u>21</u>	SCHEDULING ORDER: The cutoff date for Plaintiff to file a Motion to Amend his Complaint is 12/31/2018. The DOJ will file a Motion for Summary Judgment and one or more Vaughn Declarations and/or Indices by 4/12/2019. Plaintiff will file his Cross Motion for Summary Judgment, if any, at the time of his response to the DOJ's Motion for Summary Judgment. Signed by Magistrate Judge Dustin B. Pead on 12/21/18. (dla) (Entered: 12/21/2018)
12/21/2018	<u>22</u>	Consent RESPONSE to Motion re <u>19</u> MOTION to Amend/Correct <u>2</u> Complaint,, filed by Defendant US Department of Justice. (Mangum, John) (Entered: 12/21/2018)
12/28/2018	<u>23</u>	DOCKET TEXT ORDER. Plaintiff's unopposed <u>22</u> Motion to Amend Complaint <u>19</u> is hereby GRANTED. Defendant shall have until January 18, 2019, or ten days after the end of any federal government shutdown, whichever comes later, to file a response to the amended pleading. The District Court Clerk's Office to file a copy of the Amended Complaint on the court docket [19–1]. Signed by Magistrate Judge Dustin B. Pead on 12/28/2018. (amn) (Entered: 12/28/2018)
01/03/2019	<u>24</u>	AMENDED COMPLAINT against US Department of Justice. filed by Dennis O. Williams. (Attachments: # <u>1</u> Exhibit 1 – 05/31/2016 FBI Letter, # <u>2</u> Exhibit 2 – 06/08/2017 OIP Response) (Trentadue, Jesse) (Entered: 01/03/2019)
02/04/2019	<u>25</u>	ANSWER to <u>24</u> Amended Complaint filed by US Department of Justice.(Mangum, John) (Entered: 02/04/2019)
03/07/2019	<u>26</u>	Stipulated MOTION for Amended Scheduling Order filed by Defendant US Department of Justice. Motions referred to Dustin B. Pead. Attorney Melina Shiraldi added to party US Department of Justice(pty:dft)(Shiraldi, Melina) (Entered: 03/07/2019)
03/08/2019	<u>27</u>	DOCKET TEXT ORDER. GRANTING stipulated Motion to Amend Scheduling Order <u>26</u> . Defendant United States Department of Justice shall have up to and including May 13, 2019, to file a Motion for Summary Judgment. Plaintiff Dennis Williams to file his cross motion for summary judgment, if any, at the time of his response to the Defendant's motion for summary judgment. Signed by Magistrate Judge Dustin B. Pead on 03/08/2019. No attached document. (amn) (Entered: 03/08/2019)
05/12/2019	<u>28</u>	MOTION for Extension of Time to file Motion for Summary Judgment filed by Defendant US Department of Justice. Motions referred to Dustin B. Pead.(Shiraldi, Melina) (Entered: 05/12/2019)
05/13/2019	<u>29</u>	DOCKET TEXT ORDER granting <u>28</u> Motion for Extension of Time. The Department of Justice shall file its motion for summary judgment no later than May 17, 2019.

		Signed by Judge Jill N. Parrish on 5/13/2019. No attached document. (jph) (Entered: 05/13/2019)
05/17/2019	<u>30</u>	Defendant's MOTION for Summary Judgment and Memorandum in Support filed by Defendant US Department of Justice. (Attachments: # <u>1</u> Appendix)(Shiraldi, Melina) (Entered: 05/17/2019)
06/05/2019	<u>31</u>	Stipulated MOTION for Extension of Time to File Response/Reply as to <u>30</u> Defendant's MOTION for Summary Judgment and Memorandum in Support filed by Plaintiff Dennis O. Williams. (Attachments: # <u>1</u> Text of Proposed Order) Motions referred to Dustin B. Pead.(Trentadue, Jesse) (Entered: 06/05/2019)
06/05/2019	<u>32</u>	DOCKET TEXT ORDER granting <u>31</u> Motion for Extension of Time to File Response. Mr. Williams shall file his response to defendant's motion for summary judgment no later than June 28, 2019. Signed by Judge Jill N. Parrish on 6/5/2019. No attached document. (jph) (Entered: 06/05/2019)
06/14/2019	<u>33</u>	REASSIGNMENT to Newly Appointed District Judge. Case Reassigned to District Judge Howard C. Nielson, Jr. Judge Jill N. Parrish no longer assigned to the case. Orders of the prior judge are affirmed including the order of reference to Magistrate Judge Dustin B. Pead under 28:636 (b)(1)(A) Case number will now read 2:17-cv-00699-HCN-DBP . Please make changes to document captions accordingly. (mlp) (Entered: 06/14/2019)
06/28/2019	<u>34</u>	Plaintiff's MEMORANDUM in Opposition re <u>30</u> Defendant's MOTION for Summary Judgment and Memorandum in Support filed by Plaintiff Dennis O. Williams. (Trentadue, Jesse) (Entered: 06/28/2019)
06/28/2019	<u>35</u>	Cross MOTION for Summary Judgment filed by Plaintiff Dennis O. Williams. (Trentadue, Jesse) (Entered: 06/28/2019)
06/28/2019	<u>36</u>	APPENDIX to <u>35</u> Cross MOTION for Summary Judgment , <u>34</u> Memorandum in Opposition to Motion filed by Plaintiff Dennis O. Williams . (Attachments: # <u>1</u> Exhibit 1 – Declaration, # <u>2</u> Exhibit 2 – OPR Vaughn Index)(Trentadue, Jesse) (Entered: 06/28/2019)
06/28/2019	<u>37</u>	Plaintiff's MOTION in Camera Review filed by Plaintiff Dennis O. Williams. Motions referred to Dustin B. Pead.(Trentadue, Jesse) (Entered: 06/28/2019)
07/10/2019	<u>38</u>	MOTION for Extension of Time <u>30</u> MSJ and <u>35</u> Cross MSJ <u>37</u> Motion in Camera Review filed by Defendant US Department of Justice. Motions referred to Dustin B. Pead.(Shiraldi, Melina) (Entered: 07/10/2019)
07/11/2019	<u>39</u>	Motions No Longer Referred: Defendant's Motion for Extension of Time <u>38</u> will be addressed by the District Court. (Entered: 07/11/2019)
07/11/2019	<u>40</u>	DOCKET TEXT ORDER granting <u>38</u> Motion for Extension of Time to File Reply and Response. Defendant shall file its combined Reply supporting its Motion for Summary Judgment and its response to Plaintiff's Cross-motion for Summary Judgment and Motion for In Camera Review no later than July 26, 2019. Signed by Judge Howard C. Nielson, Jr., on 7/11/2019. No attached document. (mtw) (Entered: 07/11/2019)
07/26/2019	<u>41</u>	Entry Error : Document refiled correctly as <u>42</u> . REPLY to Response to Motion re <u>35</u> Cross MOTION for Summary Judgment filed by Defendant US Department of Justice. (Attachments: # <u>1</u> Exhibit A) Attorney Amanda A. Berndt added to party US Department of Justice(pty:dft)(Berndt, Amanda) Modified on 7/31/2019 by adding error text (las). (Entered: 07/26/2019)
07/26/2019	<u>42</u>	REPLY to Response to Motion re <u>35</u> Cross MOTION for Summary Judgment filed by Defendant US Department of Justice. (Attachments: # <u>1</u> Exhibit A)(Berndt, Amanda) (Entered: 07/26/2019)
07/29/2019	<u>43</u>	Motions No Longer Referred: Plaintiff's MOTION for In Camera Review <u>37</u> will be addressed by the District Court in conjunction with Plaintiff's Motion for Summary Judgment <u>35</u> .(amn) (Entered: 07/29/2019)

07/30/2019	<u>44</u>	ORDER OF RECUSAL Judge Howard C. Nielson, Jr. recused. Case reassigned to Judge Ted Stewart for all further proceedings. Signed by Judge Howard C. Nielson, Jr. on 7/30/2019. (nl) (Entered: 07/30/2019)
07/31/2019	45	Modification of Docket: Error: Wrong document attached. Correction: Counsel has refiled the correct document as entry <u>42</u> . re <u>41</u> Reply Memorandum/Reply to Response to Motion. (las) (Entered: 07/31/2019)
08/02/2019	<u>46</u>	Stipulated MOTION for Extension of Time to File Response/Reply as to <u>35</u> Cross MOTION for Summary Judgment , <u>37</u> Plaintiff's MOTION in Camera Review filed by Plaintiff Dennis O. Williams. (Attachments: # <u>1</u> Text of Proposed Order) Motions referred to Dustin B. Pead.(Trentadue, Jesse) (Entered: 08/02/2019)
08/05/2019	47	Motions No Longer Referred: <u>46</u> Stipulated MOTION for Extension of Time to File Response/Reply as to <u>35</u> Cross MOTION for Summary Judgment , <u>37</u> Plaintiff's MOTION in Camera Review will be addressed by the District Court. (amn) (Entered: 08/05/2019)
08/05/2019	<u>48</u>	ORDER granting <u>46</u> Motion for Extension of Time to File Response/Reply re <u>35</u> Cross MOTION for Summary Judgment , <u>37</u> Plaintiff's MOTION in Camera Review. Replies due by 8/31/2019. Signed by Judge Ted Stewart on 8/5/2019. (las) (Entered: 08/05/2019)
08/29/2019	<u>49</u>	Plaintiff's REPLY to Response to Motion re <u>35</u> Cross MOTION for Summary Judgment <i>and Motion for In Camera Review</i> filed by Plaintiff Dennis O. Williams. (Trentadue, Jesse) (Entered: 08/29/2019)
09/05/2019	<u>50</u>	REQUEST to Submit for Decision re <u>35</u> Cross MOTION for Summary Judgment , <u>30</u> Defendant's MOTION for Summary Judgment and Memorandum in Support , <u>37</u> Plaintiff's MOTION in Camera Review filed by Plaintiff Dennis O. Williams. (Trentadue, Jesse) (Entered: 09/05/2019)
09/09/2019	<u>51</u>	ORDER granting <u>37</u> Motion for In Camera Review. See order for details. Signed by Judge Ted Stewart on 9/9/2019. (las) (Entered: 09/09/2019)